

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: JOHN W. BULLUCK ET AL.

Filed: FEBRUARY 20, 2004

ULTRAVIOLET LIGHT CURING COMPOSITIONS FOR COMPOSITE REPAIR

Serial No.: 10/784,002

Group Art Unit: 1711

Examiner: MCLENDON, SANZA L.

Atty. Dkt: TRIA:014

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

6/1/06
Date

Kath Fischer
Name

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO OFFICE ACTION MAILED DECEMBER 1, 2005

This paper is submitted in response to the office action dated December 1, 2005.
Please reconsider the application in view of the following remarks.

REMARKS

Claims 35-44 were rejected as unpatentable over Smith et al. (US 5,166,007) in view of Leppard et al. (5,767,169) for the reasons stated in the office action. Applicants disagree.

First, claim 35 affirmatively recites creating a vacuum across at least one side of the ultraviolet light curable composition. Smith et al. and Leppard et al. are both silent as to this issue. Silence in a reference is hardly a proper substitute for an adequate disclosure of facts from which a conclusion of obviousness may justifiably follow. In re Burt et al., 148 USPQ 548,